

**MARIN COUNTY CONGESTION MANAGEMENT AGENCY,
MARIN COUNTY BOARD OF SUPERVISORS, AND MARIN COUNTY TRANSIT DISTRICT
JOINT MEETING MINUTES**

Thursday, January 23, 2003

Marin County Board of Supervisors Chambers, San Rafael, California

Representatives Present: Susan Adams, Marin County Board of Supervisors
Amy Belser, Sausalito City Council
Peter Breen, San Anselmo Town Council
Hal Brown, Marin County Board of Supervisors
Mike DiGiorgio, Novato City Council
Frank Egger, Fairfax Town Council
Alice Fredericks, Tiburon Town Council
Steve Kinsey, Marin County Board of Supervisors
Joan Lundstrom, Larkspur City Council
Dick Swanson, Mill Valley City Council

Representatives Absent: Al Boro, San Rafael City Council
Tom Byrnes, Ross Town Council
Barbara Heller, Marin County Transit District
Michael Lappert, Corte Madera Town Council
Cynthia Murray, Marin County Board of Supervisors
Annette Rose, Marin County Board of Supervisors
Bruce Sams, Belvedere City Council

Staff Members Present: Farhad Mansourian, CMA Executive Director
Art Brook, CMA Deputy Executive Director
John Loll, Manager, Marin County Transit District
Jack Baker, Senior Civil Engineer, Marin County DPW
Dean R. Powell, Principal Transportation Planner, Marin County DPW
Carey A. T. Lando, Senior Transportation Planner, Marin County DPW
Tho Do, Associate Civil Engineer, Marin County DPW
Patricia Howell, Recording Secretary

Chairman Kinsey called the joint meeting to order at 7:40 PM.

1. BOARD/AGENCY DIRECTORS' MATTERS NOT ON THE AGENDA

Agency Member Lundstrom asked the joint committee to consider adding a discussion to the agenda regarding the Governor's proposed 1-cent sales tax and how that would compete with local transportation problem solving.

Chairman Kinsey suggested that that discussion could be a part of the Executive's Director's Report on tonight's agenda.

Chairman Kinsey stressed that the Golden Gate Bridge, Highway and Transportation District was going through a remarkable financial problem comparable to what the State was experiencing, that this meant

not just cutbacks but serious changes, and that the bus/transit system as we know it would not exist by this Fall, presenting many challenges. He stated that the first step for Marin County is on January 28th, when the Marin County Transit District will agendaize this topic, and discuss how to participate with the Bridge District. He encouraged Agency Members to alert their city representatives of the severity of the bus/transit system problems, and to have appropriate parties meet with Bridge District representatives now, in the planning stages. He stated that Ron Downing from the Golden Gate Bridge, Highway and Transportation District was present tonight.

Chairman Kinsey stated that the proposed 1-cent sales tax would not be the only impact on transportation; Proposition 42 and the STIP have now vanished. Legislation was being proposed next week to essentially replace the Proposition 42 monies with additional gas tax dollars. He felt that the correct response for now would be to be patient, stay apprised via staff, and deal with the shortfalls and strategies regionally and globally.

Chairman Kinsey met with Congresswoman Woolsey's office, Sonoma County Transportation Agency, and members of Sonoma and Marin Counties regarding the TEA Reauthorization Earmark Request. While in Washington meeting with various House staffs, he found that there is a request for members to present their District's projects by February 28th. He concluded by stating that while we continue to be in total agreement with Sonoma County in requesting funding for the Sonoma-Marin Narrows Project HOV Gap Closure between Highways 37 and 116, Marin County feels \$30 million would be an appropriate figure to request at this time, and Sonoma County would like to request \$160 million to fund the complete project.

2. APPROVAL OF JOINT MINUTES OF JANUARY 9, 2003 MEETING

M/s Fredericks/Belser, and passed unanimously of those present, to adopt the minutes as presented. Motion passed 10/0 (Supervisors Murray and Rose, Transit District Board Member Heller, and representatives from Belvedere, Corte Madera, San Rafael, Ross not present).

3. EXECUTIVE DIRECTOR'S REPORT

Executive Director Farhad Mansourian stated that the briefing on discussions between the Metropolitan Transportation Commission (MTC) and ABAG regarding a possible merger would not be available until the February 27th meeting of the joint committee.

Executive Director Mansourian reported that under the direction of Agency Member Lundstrom, the vision survey information had been redone with a focus on the responses from the direct mailer cards. Since he had just received the draft of those results and the Outreach Committee had not seen them yet, that report would also be presented at a future meeting.

Executive Director Mansourian announced that his promotion to Marin County Public Works Director would occur in April. He introduced Craig Tackabery as the new Assistant Director of Public Works.

4. ADOPT 2003 MEETING CALENDAR

After a brief discussion, M/s Belser/Breen, and passed unanimously of those present, to adopt the 2003 Meeting Calendar as drafted, with the exception that the August 28th CMA meeting and the August 20th CMA Executive Committee meeting be set aside for a summer recess. Motion passed 10/0 (Supervisors Murray and Rose, Transit District Board Member Heller, and representatives from Belvedere, Corte Madera, San Rafael, Ross not present).

5. REPORTS FROM SUBCOMMITTEES

Sonoma-Marin Narrows Policy Advisory Group

In Supervisor Murray's absence, Chairman Kinsey reported that the Group would be meeting in March to discuss progress on the EIR, phasing issues and probably the financing plan as well.

SMART

In Supervisor Rose' absence, Agency Member DiGiorgio reported that the transition from SMART to SMART II was moving forward with assets scheduled to be transferred by June. Golden Gate Bridge, Highway and Transportation District representatives had been present and went through the income/expense statement for the NWPR. New Chair Smith, a Sonoma County Supervisor, has been elected, with Supervisor Rose as Vice Chair.

Agency Member Breen stated that SMART had committed the monies and released the RFP for station design; while it was going forward, there still were some uncertainties.

Community Outreach

Agency Member Lundstrom stated that she had nothing new to report and would defer the discussion of a potential poll to Item #7 on the agenda.

6. PROVIDE ADDITIONAL POLICY DIRECTION TO STAFF ON FINAL VISION DOCUMENT

Bonnie Nelson, CMA Consultant, asked the joint committee for direction on the policy issues raised in a letter received since the last meeting on January 9th. Comments received were separated into several categories, which included traffic study information, vision goals, comments by mode, highway projects, and geographic area.

The joint committee held discussion on each comment outlined in the staff report and provided direction to staff on how to address each of the issues.

Ms. Nelson stated that she would incorporate all additional comments received into the Draft Vision document, and that she planned to present the final document for adoption at the next meeting on February 27th.

Members of the public were invited to comment.

Karen Nygren, Tiburon resident, asked that improvements to the I-580/Highway 101 Interchange be included in the Vision document. Executive Director clarified that improvement to this interchange was included in the Vision and that the interchange operations would improve with the San Rafael Gap Closure project and improvements being studied as part of a Project Study Report for the Greenbrae Interchange now being prepared.

7. REPORT ON THE POTENTIAL NOVEMBER 2003 TRANSPORTATION SALES TAX MEASURE

Executive Director Farhad Mansourian summarized the questions raised at the last meeting and presented his staff report.

Discussion ensued as to whether the goals set forth in the Vision document should be used or modified to develop an expenditure plan for a sales tax. It was agreed that the Vision goals would be kept intact for now, but that the specific tasks to implement them would need to be developed.

Agency Member Swanson indicated that he believed it was an extremely difficult time to be putting a sales tax measure on the ballot, especially in November, given the state of the economy. He stated that any delay in approaching the ballot could be used to the CMA's advantage by using the time productively to establish a very comprehensive outreach program focused on developing a real constituency to support the sales tax. Such an effort, he said, should attempt to solicit real input from the local communities and constituencies and not stop with a simple presentation to city councils and expect them to conduct real advocacy on behalf of a sales tax measure.

After a lengthy discussion, the joint committee agreed that continuing with community outreach, education and constituency building was crucial, but that it would not be prudent to go forward with efforts to poll the public at this time, even if it meant not getting a measure on the November 2003 ballot. The joint committee called on the Outreach Committee to work with staff to develop a grassroots outreach process and related budget for an expenditure plan.

Agency Member Lundstrom saw the need to hold another Outreach Committee meeting prior to the one set for February 21, and asked that Committee decide on a meeting date after adjournment tonight. She also encouraged public and CMA participation in the Committee meetings.

Members of the public were invited to comment.

Karen Nygren thanked the joint committee for reconsidering the need for polling for a November ballot measure, stating that the Golden Gate Bridge, Highway and Transportation District's loss of budget would call for downsizing the implementation of our goals as well. She asked that the focus be on bus and bike improvements, and that any polling be carefully devised in order to obtain worthwhile public comment.

John Leonard, Mill Valley resident, thought that the joint committee was being prudent in foregoing polling and choosing outreach alone for the time being; that a November 2003 ballot measure was premature; that once clarified, the only way to reach consensus on a measure would be to include Open Space funding as well as transit; and that that discussion be included in the outreach options and be dialectic in approach.

Deb Hubsmith, Marin Bicycle Coalition, urged financial prudence, stating that grassroots support does not need to be costly and could be made more user-friendly. She felt the hidden costs of auto use should be flushed out, that a gas tax was the appropriate way to fund a transportation plan, and that action needed to be taken as soon as possible.

Phil Richardson, Novato resident, stated that, like it or not, the average person would continue to use the automobile, and therefore, present funds should be used for road improvement, with future reserves being used to explore other modes of transportation.

8. REPORT ON THE GOVERNOR'S PROPOSED BUDGET ON TRANSPORTATION

With the lateness of the hour, consensus was reached to table this item.

9. OPEN TIME FOR ITEMS NOT ON THE AGENDA

None.

Chairman Kinsey adjourned the joint meeting at 9:30 PM.

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Chairman Kinsey called the meeting to order at 9:30 PM.

10. AGENCY DIRECTORS' MATTERS NOT ON THE AGENDA

None.

11. APPROVAL OF JOINT MINUTES OF JANUARY 9, 2003 MEETING

M/s DiGiorgio/Belser, and passed unanimously of those present, to adopt the minutes as presented. Motion passed 8/0 (representatives from Belvedere, Corte Madera, San Rafael, and Ross not present).

12. EXECUTIVE DIRECTOR'S REPORT

None.

13. ADOPT 2003 MEETING CALENDAR

M/s Belser/Breen, and passed unanimously of those present, to adopt the 2003 Meeting Calendar as drafted, with the exception that the August 28th CMA meeting and the August 20th CMA Executive Committee meeting be set aside for a summer recess. Motion passed 8/0 (representatives from Belvedere, Corte Madera, San Rafael, and Ross not present).

14. AUTHORIZE CHAIRMAN TO EXECUTE AGREEMENT WITH NELSON/NYGAARD FOR REFINEMENT OF SELECTED ELEMENTS OF THE MARIN BUS TRANSIT FUTURES PLAN

John Loll, Manager, Marin County Transit District, presented his staff report, stating that \$25,000 for the study has been set-aside in the current budget and an additional \$25,000 was available from the Metropolitan Transportation Commission (MTC).

In response to a question raised by Agency Member Swanson, Transit Manager Loll clarified that the proposed study is intended to update portions of the local bus transit master plan and that CMA staff will be coordinating efforts with SMART which is conducting rail station design and bus shuttle studies.

Members of the public were invited to comment.

Don Wilhelm, Novato resident, stated that the locations of the SMART rail stations need to be confirmed before the CMA undergoes any modal coordination study.

Agency Member DiGiorgio clarified that SMART is doing station design studies, that the City of Novato has selected two station sites, and that City of San Rafael is working with SMART and the County on the Civic Center Station design.

John Leonard urged that since the shuttles would be part of the SMART train system, SMART should fund any related modal coordination study.

After discussion, it was agreed to move forward, with the understanding that study issues will be integrated with SMART station studies and that the study was not a duplication of their efforts.

M/s DiGiorgio/Breen, and passed unanimously of those present, to approve the proposed scope of work and authorize the Chairman to execute a contract with Nelson/Nygaard for same. Motion passed 8/0 (representatives from Belvedere, Corte Madera, San Rafael, and Ross not present).

Agency Member Swanson stated for the record that he believes funding for Task 2 in the Nelson/Nygaard scope of work, "Transit and Shuttle Service Plans for SMART Rail Stations," should be paid for by SMART.

15. OPEN TIME FOR ITEMS NOT ON THE AGENDA

Karen Nygren reminded the CMA that they are also the Countywide Planning Agency and that their consideration of the general plan land use and housing elements being updated was crucial.

Chairman Kinsey adjourned to Closed Session at 9:47 PM.

16. **CLOSED SESSION – ANTICIPATED LITIGATION – INITIATION OF LITIGATION PURSUANT TO GOVERNMENT CODE SECTION 54956.9(C) – ONE CASE**

[CLOSED SESSION]

Chairman Kinsey re-convened the meeting at 9:55 PM.

Chairman Kinsey reported that during the closed session, the CMA gave its approval to participate in an *amicus* appellate brief in U.S. District Court Case No. C-01-0750 TEH in support of the Metropolitan Transportation Commission and to contribute \$1,000 towards the cost of the brief.

M/s Swanson/Belser, to participate in an *amicus* appellate brief in U.S. District Court Case No. C-01-0750 TEH in support of the Metropolitan Transportation Commission and to contribute \$1,000 towards the cost of the brief. Motion passed 7/1 (representative from Fairfax voted against the motion, and representatives from Belvedere, Corte Madera, San Rafael, and Ross not present).

Chairman Kinsey adjourned the meeting at 9:56 PM.